

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED
JUN 29 2009
JOHN F. MCORRAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA
V.
CBI, LLC d/b/a ACTIVE SOLUTIONS
AND
MICHAEL COWEN
a/k/a "Mr. Ross"

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Criminal No. 6:07CR00034

FINAL ORDER OF FORFEITURE

WHEREAS on February 23, 2009, this Court entered an Order of Forfeiture pursuant to 18 U.S.C. § 982(a)(7), and Rule 32.2 of the Federal Rules of Criminal Procedure, based upon the guilty plea of Defendant to violations of 18 U.S.C. § 371 and 18 U.S.C. § 1347, the criminal violations giving rise to the forfeiture, thereby providing for forfeiture of certain assets;

AND WHEREAS, on March 26, 2009, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, thereby providing notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged legal interest in the assets;

AND WHEREAS, it appears from the record that Bonita Cowen, spouse of Defendant Cowen, executed an Acknowledgment of Forfeiture and Consent Thereto, thereby consenting to forfeiture of the assets;

AND WHEREAS, it appears from the record that Michael Cowen, as President of CBI, LLC d/b/a Active Solutions, executed an Acknowledgment of Forfeiture and Consent Thereto, thereby consenting to forfeiture of the assets;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the forfeited assets, and the time for filing claims has expired;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

(A) The Order of Forfeiture entered herein on February 23, 2009, is affirmed and all right, title and interest to the following described assets is forfeited to the United States of America, and shall be disposed of according to law. No right, title or interest shall exist in Michael Cowen, nor any other person or entity.

(1) **Money Judgment**

Not less than \$2,500,000.00 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate was obtained directly or indirectly as a result of the aforestated offenses or is traceable to such property.

(2) **Financial Accounts Held at Smith Barney**

- i. All funds on deposit in Smith Barney account number 157-13116-10-093, in the name of CBI Company, LLC, d/b/a ACTIVE SOLUTIONS;
- ii. All funds on deposit in Smith Barney account number 157-10761-14-093, in the names of MICHAEL R. COWEN and BONITA R. COWEN;
- iii. All funds on deposit in Smith Barney account number 157-63637-1-5-093, in the name of MICHAEL R. COWEN.

(3) **Financial Accounts held at National City Bank**

- i. All funds on deposit in National City Bank account number 123546337, held in the name of Michael Cowen;
- ii. All funds on deposit in National City Bank account number 9065779791, held in the name of Michael Cowen;

(4) **Motor vehicles, identified as follows:**

- i. A 2003 BMW, vehicle identification number (VIN) WBADN53433GF71203; titled to ACTIVE SOLUTIONS;
- ii. A 2003 Chevrolet truck/van, VIN 1GCFG15X631189317, titled to CBI Company, LLC;
- iii. A 2000 International Truck, VIN 1HTSCABM4YH277384, titled to CBI Company, LLC;
- iv. A 2004 Chevrolet Express Van, model G10, VIN 1GCEG15XX41169939, titled to CBI Company, LLC;
- v. A 2002 Chevrolet van, model CG31803, VIN 1GBJG31RX21226868, titled to CBI Company, LLC;
- vi. A 2002 Chevrolet Express Van, model G10, VIN 1GCEG15W621204268, titled to CBI Company, LLC;

(B) The United States is ORDERED to dispose of the property according to law subject only to all expenses attributable to the seizure, maintenance, forfeiture and disposal of the assets.

(C) The following asset is dismissed:

(1) Huntington National Bank Account Number 9000156.

(D) The Protective Order issued on November 27, 2007, is hereby released as to assets not forfeited herein.

(E) The Clerk is hereby directed to certify copies of this Order to all counsel of record.

ENTERED THIS 29th DAY OF June, 2009.


UNITED STATES DISTRICT JUDGE